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**Analysis of Senate Bill 179 (As Introduced)**

**Topic:** Youth Employment  
**Sponsor:** Senator Tony Stamas  
**Co-Sponsors:** Senators Switalski, Barcia, Bernero, Allen, Cherry, Thomas, Bishop Garcia, Olshove, Clarke, Goschka, and Cropsey  
**Committee:** Senate Economic Development, Small Business and Regulatory Reform  
**Date Introduced:** February 9, 2004

**Date Enrolled:**

**Date of Analysis:** February 14, 2004

**Position:** The Department of Labor and Economic Growth opposes the bill.

**Problem/Background:** The Youth Employment Standards Act covers all Michigan employers, and does the following:

- Sets work permit requirements for minors.
- Requires adult supervision of minors.
- Establishes minimum age requirements for employment.
- Establishes conditions for employment in movies, television, and other performing arts.
- Prohibits employment of minors in hazardous occupations.
- Regulates hours of employment for minors.
- Provides meal/rest periods for minors.

The act has been amended in recent years to allow minors to work beyond statutory limits in agricultural processing.

Michigan is reportedly one of three states in the nation that include hours in school in the calculation of the number of hours a young person may work. The other two are Maryland and Delaware. A majority of states have no cap on the number of hours a young person may work. Seventeen states have a simple cap such as the one proposed in the current bill.

Prior revision, in recent years, of the Youth Employment Standards Act (PA 90 of 1978; MCL 409.101, et seq.) allowed minors to work beyond statutory limits during agricultural processing season. This bill would expand hours of work allowed for a student well beyond the current statutory restriction (see below).

**Description of Bill:** The bill is similar to a bill vetoed by the Governor in June 2004, except that the weekly limit on work for minors aged 16 or older is 20 rather than 22.

The bill amends the Youth Employment Standards Act by deleting the current limitation imposed on a minor who is 16 years of age or older and a student. Current law limits the minor's current combined school and workweek to 48 hours during the period school is in session. The bill would change this combined limit to a limit of 20 hours of work in one week while school is in session.

### **Summary of Arguments**

**Pro:** Recent changes in the Revised School Code have increased instruction time and reduced the number of hours that students can legally work. The number of hours that a student can work has dropped from 24 in the mid 1990's to about 17 today. This is a hardship for businesses that rely on young people as workers. The bill will allow minors, with parental/guardian permission, to increase hours of work and earn extra income.

**Con:** This bill sends the wrong message. The Legislature recognized the importance of education when it amended the Revised School Code in 1995 to increase the minimum number of hours of instruction over a 10-year period. The required number of hours of instruction in 2003-4 has now increased by almost 25%. Not only does the proposal to increase the hours that a young person may work distract the focus and attention of young people from the main goal--education--but, by removing school hours from the calculation of work hours, it gives them the false impression that work is more important than their education.

The potential for increased working hours in the bill raises health concerns for young people, including stress and sleep deficiencies. Many studies have already shown increases in health-related problems and development issues among teens and young adults relative to sleep deprivation and heavy work/school schedules.

Increasing the number of hours young people work will take away full-time jobs from other adult workers by providing more hours to teens who will work for lesser wages.

By increasing the number of hours young people may legally work, the ultimate effect of the bill is to suppress wages for adult workers by keeping wages lower for these types of jobs.

### **Fiscal/Economic Impact**

#### **(a) Department**

**Budgetary:** None

**Revenue:** None

**Comments:** None

#### **(b) State**

**Budgetary:** None

**Revenue:** None

**Comments:** None

**(c) Local Government**

**Comments:** The bill has no impact on local government, except to the extent that they are employers of youth.

**Other State Departments:** No other state departments are affected.

**Any Other Pertinent Information:** A similar bill was introduced in the last session by then-Representative Stamas in the 2001-2 session. House Bill 4875 passed the House but not the Senate.

Senator Stamas' family has owned a small restaurant for many years.

Supporters of the 2003-4 bill included the Michigan Restaurant Association, Michigan Retailers Association, National Federation of Independent Business, Small Business Association of Michigan, Michigan Education Association, Detroit Regional Chamber of Commerce, Grand Rapids Chamber of Commerce, Michigan Hotel, Motel and Resort Association, Michigan Grocers Association, and McDonald's Corporation.

Opponents of the 2003-4 bill included the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), United Auto Workers (UAW), Michigan Federation of Teachers, Michigan Association of School Administrators, Michigan Association of School Boards, Oakland Schools, and the Service Employees International Union (SEIU).

**Administrative Rules Impact:** It does not appear that the department's administrative rules will require revision if this bill is enacted.